

**BROWNFIELD REDEVELOPMENT AUTHORITY
JANUARY 8, 2008 MINUTES**

1. Call to Order. The regular Brownfield Redevelopment Authority (BRA) meeting of January 8, 2008, held in City of Manistee Council Chambers, 70 Maple Street, Manistee, MI, was called to order by Vice Chair McKinven-Copus at 9:32 a.m.

Members Present: Steve Brower, Mark Lindgren, Clinton McKinven-Copus, Jeff Seng, and Lee Trucks.

Members Absent: Frank Beaver (approved absence), Dave Carlson, Marlene McBride and Jeff Stege

Others Present: Jon Rose (Staff Liaison, City of Manistee), T. Eftaxiadis (Brownfield Consultant), and Sarah Wojciechowski (Recording Secretary)

2. Approval of Agenda. The consensus of the BRA was to approve the agenda as presented, with the addition of "Discuss BRA Meeting Date and Time", and "Recording Secretary" under Item 6, New Business.

3. Public Hearing. None

4. Approval of Minutes of November 19, 2007. There was a motion by Trucks, seconded by Seng, to approve the November 19, 2007, minutes as presented. All voted aye, motion carried.

5. Financial Reports.

- a. Invoices for Payment

After discussion, there was a motion by Brower, seconded by Lindgren, to approve payment of invoices submitted, totaling \$3,314.85, for the reporting period of October – November 2007, as listed below.

Vendor Name	Invoice Date	Invoice Number	Invoice Amount	Service Description
T. Eftaxiadis	11-27-07	0703013	\$ 958.75	October '07; Prep/BRA meeting; Rieth Riley BRA Application and BRA Plan reviews, processing, meetings, TIF tables, Prep EPA revolving Loan Fund applications (\$1543.75 No Charge)
T. Eftaxiadis	12-7-07	0703014	\$2,258.75	November '07; Prep Rieth Riley BRA Plan and attachments, City/Bra/RR meetings, presentations, TIF tables, notices
<i>Pioneer Group</i>	<i>11-30-07</i>	<i>Nov. 07</i>	<i>\$ 97.35</i>	<i>Publishing Public Notices</i>
Total			\$3,314.85	

Eftaxiadis noted that the third invoice item (*in italics*) has already been paid, due to the fact that payment of the invoice was due before the next BRA meeting. A discussion took place

regarding whether the Administrator, Jon Rose, should be authorized to approve payment of invoices, up to a specified dollar level. It was decided that a sub-committee should be appointed to review procedures for payment of invoices, accounting practices, and EPA Brownfield Grant reporting process. Vice Chair McKinven-Copus appointed Steve Brower, Jon Rose, T. Eftaxiadis, and Ed Bradford to a sub-committee to establish procedures for invoice payment and tracking. Vice Chair McKinven-Copus called the question on the motion by Brower, seconded by Lindgren, to approve payment of invoices submitted, totaling \$3,314.85, for the reporting period of October – November 2007. All voted aye, motion carried.

6. New Business

- a. Discussion and Approval of American Materials LLC's (Rieth Riley) Act 381 Work Plan for submittal to the MDEQ and ME GA. Eftaxiadis said comments, in his December 28, 2007, memo, regarding the Act 381 Work Plan, were addressed and/or resolved in the Revised Act 381 Work Plan included in the BRA Board's packet. One issue not addressed in the revised Work Plan was the justification for "paving" a portion of the property as an "engineering control" of the soil contamination exceeding State Direct Contact criteria. Eftaxiadis said the developer's environmental consultant generated new data that may provide adequate justification for the "paving", but this data is not yet available. Eftaxiadis recommended that CMBRA defer to the MDEQ on determination of the eligibility of "paving" as an "engineering control."

Eftaxiadis called attention to draft letters of submittal (included in packet) of the Act 381 Work Plan to the State. He recommended approving these submittal letters to the State and submission of the Act 381 Work Plan, along with:

- American Materials LLC's (Rieth Riley) Act 381 Work Plan
- Brownfield Plan (approved by the Brownfield Redevelopment Authority)
- Resolution of Approval of BRA Plan (by the Manistee City Council)
- Development and Reimbursement Agreement with American Materials, LLC (the next item on the agenda)
- Various other relevant items

After further discussion, there was a motion by Trucks, seconded by Lindgren, to approve the revised Work Plan and authorize signing the submittal letter, and submission to the State. All voted aye, motion carried.

- b. Authorization to negotiate and sign the Development & Reimbursement Agreement with American Materials LLC. Eftaxiadis called attention to the draft Development and Reimbursement Agreement (included in packets) and the suggested (by the applicant and their attorney) changes. After discussion, there was a motion by Seng, seconded by Brower, to approve and authorize staff (Jon Rose, Bruce Gockerman, and T. Eftaxiadis) to negotiate revisions and authorize Chair Beaver to sign the Development and Reimbursement Agreement with American Materials, LLC, for a reimbursement amount not to exceed \$534,153, from Local tax capture and up to \$401,317 from School tax capture as approved by the State, and the TIF capture period for reimbursement not to exceed seven years following termination of the Renaissance Zone. All voted aye, motion carried

- c. Discussion and approval of an EPA Brownfield Grant Consulting Services Agreement with T. Eftaxiadis. After discussion, there was a motion by Seng, seconded by Brower, to approve the Brownfield Redevelopment Authority entering into a Consulting Services Agreement (copy attached hereto and made a part of these minutes) with T. Eftaxiadis for EPA Brownfield Grant management and related services. All voted aye, motion carried.
 - d. Discuss BRA Meeting Date and Time. After discussion, there was a motion by Trucks, seconded by Lindgren, to change the BRA meetings to the third Wednesday of each month, beginning at 9:30 a.m. All voted aye, motion carried. It was noted that a meeting notice would need to be posted.
 - e. Recording Secretary. After discussion, Steve Brower, Secretary/Treasurer, appointed Sarah Wojciechowski as Recording Secretary for the Brownfield Redevelopment Authority.
7. Unfinished Business. None.
 8. Other Communications. Eftaxiadis asked for a show of interest in going for a tour of a brownfield project in Traverse City (the old state hospital.) BRA members were interested in such a tour, and suggested going on a Saturday.
 9. Staff Reports. None.
 10. Citizen Questions, Concerns and Considerations. None.
 11. Work/Study Session. None.
 12. Adjournment. There was a motion by Trucks, seconded by Seng, to adjourn at 11:07 a.m. All voted aye, motion carried. Rose noted that the next BRA meeting will be held on February 20th, 2008, at 9:30 a.m.

Minutes of January 8, 2008, respectfully submitted

Sarah Wojciechowski
Recording Secretary

Approved at BRA meeting pm 3/19/08